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HOUSE JOINT RESOLUTION 64
By Bowers

A RESOLUTION relative to the National Association of Insurance Commissioners (NAIC) White Paper recommending certain reforms in the Employee Retirement Income Security Act (ERISA).

WHEREAS, the National Association of Insurance Commissioners (NAIC) has prepared and issued a White Paper highlighting certain concerns of state regulators relative to the Employee Retirement Income Security Act of 1974 (ERISA); and

WHEREAS, this ERISA White Paper describes several weaknesses and gaps in ERISA's governance of employer-sponsored health care plans; and

WHEREAS, the NAIC White Paper recommends that various amendments and other statutory changes be enacted by the United States Congress to improve the protections afforded to beneficiaries of ERISA health care plans; and

WHEREAS, the NAIC White Paper recommendations call for improved regulation of risk-bearing health care entities, improved protections for ERISA health plan beneficiaries through meaningful complaint review procedures, enhanced oversight over ERISA health plan administration, the prohibition of unfairly discriminatory practices, the guaranteed portability of benefits, and compliance with quality standards and uniform data reporting standards by ERISA health care plans; and

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WHEREAS, more than twenty years after this statute's original enactment, ERISA still lacks many vital protections for beneficiaries of health care plans governed by the statute; and

WHEREAS, the implementation of the reforms recommended by the NAIC White Paper would ensure the preservation of beneficiaries' rights under ERISA; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE-HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That this General Assembly hereby endorses and supports the recommendations delineated in the National Association of Insurance Commissioners White Paper to reform ERISA relative to self-insured and self-funded employer-sponsored health care plans, and memorializes the United States Congress and the President to enact such statutory reforms to ERISA.

BE IT FURTHER RESOLVED, That this General Assembly calls upon each member of the Tennessee delegation to the United States Congress to use the full measure of such member's influence to enact the statutory reforms to ERISA recommended in the NAIC White Paper.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House is hereby directed to transmit an enrolled copy of this resolution to the Honorable Bill Clinton, President of the United States; the Speaker and the Clerk of the United States House of Representatives; the President and the Secretary of the United States Senate, and to each member of the Tennessee delegation to the United States Congress.